Olson

1427 WALNUT STREET
PHILADELPHIA, PENNSYLVANIA 19102

DAVID KAIRYS
DAVID RUDOVSKY
HOLLY MAGUIGAN
JAYMA ABDOO, LEGAL WORKER

(215) LO 3-8

8 August 1975

REVIEW STAFF

Mitchell Rogovin
Special Counsel to the Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Mitch:

In our phone conversation yesterday, I set out our thoughts after examining the documents provided to us by the CIA. We have here put some of those thoughts in written form.

The Olson family and we, as their counsel, are not satisfied that the documents provided adequately describe or explain the death of Frank Olson or constitute the entire CIA file on this matter. Obvious areas of vital concern are not even touched upon; inconsistencies abound; secrecy and ambiguity are rampant, while attempts to arrive at the truth, and the persons responsible for this atrocity, seem only incidental.

The following are some of the major areas where we find the documents wholly inadequate:

1. There is no complete discussion of whether or not the application of LSD was involuntary. Usually, it is referred to as "unwitting," and that is obviously the consistent conclusion reached. However, there are vague references to a meeting where "experts" agreed in principle to an experiment involving unwitting application. Since Frank Olson had no expertise concerning LSD or similar drugs, presumably he was not at that meeting, and there is nothing in the documents that indicates otherwise. (If the Rockefeller Commission had only the documents and information provided to us, it clearly fabricated the statement, at page 227 of its Report, that the "subject had participated in discussions where the testing of such substances on unsuspecting subjects was agreed to in principle.") But how could the investigators (in 1953 and

001258

14

Approved for Release
Date FEB 2000

b (1) b (3)

55

thereafter) and the Director fail to even inquire about which "experts" were at that meeting and, specifically, whether Dr. Olson was there? How could it have been seen as a scientifically valuable test of reactions to an unwitting application if the subjects knew and agreed to it in advance? Where are interviews with the other seven subjects of the "experiment" concerning, at least, whether they knew in advance or agreed "in principle"? In this regard, Vincent Ruwet, who was drugged at the same time Frank Olson was, has told us that his participation was wholly unwitting, involving no agreement "in principle" or in any other way. Yet, his statement does not even discuss the issue, and it does not appear that he or anyone else was asked to discuss it.

2. There is nothing that describes or explains this "experiment." It is consistently referred to as "the experiment," but no details are discussed. Was there no written proposal or memo setting out the reasons for this experiment and the knowledge to be gained? Who proposed it? Did Dr. Harold Abramson participate from the start? How and by whom were the subjects chosen? How and by whom was the dosage determined? If it was an experiment, why was there no observation of the subjects and their mental and physical states? Why were there no medical personnel as observors and for treatment in case of adverse effects? If knowledge was to be gained, why were the subjects sent home so soon, which meant they would not be observed? If one of the purposes was to see the effect on the meetings held after the drug was applied, where are the reports on these meetings? Where are the results of the "experiment," the feedback, which is the goal of any experiment?

3. There is no independent psychiatric report on Frank Olson. Dr. Harold Abramson, who is not a psychiatrist, gave three inconsistent statements. The final statement was apparently dictated to Abramson by Robert Lashbrook. How could the investigators and the Director fail to obtain independent psychiatric and medical opinions and evaluations?

9012-5

4. It is not completely clear that the death of Frank Olson was an accidental suicide. We do not mean by this statement to suggest that we believe he was intentionally killed. We do not know exactly what happened, but in light of what we do know, about this matter and other CIA activities, we are not prepared to dismiss this possibility.

The documents indicate that the overriding concern of CIA personnel throughout this matter was secrecy and security, not the health or well-being of Frank Olson. We know that Dr. Olson had thought of resigning before this experiment and had told at least one person at Dietrich about the possibility of his resigning. Once he was drugged, he was delusional and out of control, even throwing away his wallet and secret identification papers. He did not trust the CIA or Army personnel charged with his care and perceived a plot against him (understandably, as a usual reaction to LSD, and as a reality--they had plotted against him).

Did these CIA personnel perceive Frank Olson as a security risk? This is not discussed. But why was he sent to Dr. Abramson, a CIA drug experimenter who had "clearance," rather than to a qualified psychiatrist for treatment? Dr. Abramson's statements seem to indicate that his function was to evaluate, not treat, Dr. Olson, and he told us explicitly that he was "not treating" Frank Olson. What was he doing? Why did he wait so long to institutionalize (or get any treatment) for Dr. Olson? Why did he allow Dr. Olson to be housed on the tenth floor of a hotel (and visit him there) and fail to provide any medical or psychiatric personnel even after his own notes indicate that he should have perceived the possibility of suicide? Why didn't Ruwet, Dr. Olson's friend, accompany him back to New York instead of just Lashbrook? Why were Lashbrook and Abramson meeting together and dictating Abramson's report? Is it not clear that at least someone was suspicious of them from the fact that they were surveilled while doing this?

We realize that some documents may have been destroyed by Sidney Gottlieb in 1973 or may be otherwise unavailable. However, our discovery of two quite important documents provided to the Justice Department that were not provided to us (which is discussed in our letter of July 29, 1975), leads us to believe that the CIA may have additional materials and information. Furthermore, the documents provided indicate that there were several separate files, some of which would not seem to be available to Sidney Gottlieb. The General Counsel apparently had a complete file, based upon which he reached the conclusion that there was "culpable negligence" by CIA personnel. The Inspector General and the Division of Security also had files and conducted investigations that would not seem to be available for destruction by Sidney Gottlieb.

Director Colby and you have indicated that you would try to answer any questions we have and, where possible, make persons available for us to interview. In our letter of July 29, 1975, following our discovery of the additional documents in the Justice Department file, we requested, among other things, an affidavit executed by Director Colby stating that we have received all materials and information available to the CIA. We now request, in addition to that affidavit, that you conduct a further search for materials and information and make available to us, for sworn depositions, people who can answer our questions. We know who some of these people are; many of them have been mentioned in this letter and our discussions. But we are not limiting our request to persons who we can identify; we are asking you to make available people who can answer our questions.

Sincerely,

David Kairys

David Rudovsky

cc: William Colby,
Director, CIA

001261